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10/826,046	04/16/2004	Steven S. Homer	200315743-1	9457

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EXAMINER

PAPE, ZACHARY

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/826,046

Applicant(s)

HOMER, STEVEN S.

Examiner

Zachary M. Pape

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19, 22-25, 29 and 35-40 is/are rejected.
- 7) ☒ Claim(s) 20, 21, 26-28 and 30-34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The following detailed action is in response to the correspondence filed 9/11/2006.

Response to Arguments

1. Applicant's arguments, see pages 8-10, filed 9/11/2006, with respect to the rejection(s) of claim(s) 22-30 under 102(b) have been fully considered and are persuasive (Specifically see page 10, "Brooks clearly does not disclose or even suggest, "an antenna disposed on the interior surface of the screen" as recited by Claim 22 (emphasis added).". Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Shin et al. and Detwiler (US 2002/0100805).

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore,

the bezel flange contacting a screen as in claims 1-10,

the bezel being adapted to conductively couple the antenna to an internal antenna circuit via a conductive via as in claims 9-10,

the bezel (not the bezel flange) is conductively coupled to the antenna as in claim 20,

and bezel (again not the bezel flange) having a conductive via as in claim 21 must be shown or the feature(s) canceled from the claim(s).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities:

The specification fails to detail that the bezel flange is contacting a screen as claimed in claims 1-15.

Appropriate correction is required.

Claim Objections

4. Claims 11, and 13 are objected to because of the following informalities:
Claims 11 and 13 recite, "the supporting means" which lacks antecedent basis.
Appropriate correction is required.

Notice of examination under 35 U.S.C. 112 6th paragraph

5. The limitations:
"Means for contacting of claim" 11, and "Means for conductively coupling"
of claim 12, are being examined under 112 6th paragraph as per MPEP 2181.

Double Patenting

6. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

7. Claims 22, 35, and 40 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claim 34 of copending Application No. 10/235,359 (claims filed 11/22/2005). This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

With respect to claim 22 of the present application, claims 34, 35, 37 (which includes all the limitations of claims 1, 6, and 18 respectively) of application 359 teaches, a screen; a display device disposed adjacent an interior surface of the screen; and an antenna disposed on the interior surface of the screen.

8. With respect to claims 35 and 40 of the present applications, claims 1-10, 18-22, 24, 34-35, and 37 of application 359 teach a screen; and an antenna formed on the screen, wherein the screen comprises a transparent screen.

9. **The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees.**

A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*,

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759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 23, 25, 29, are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10, 18-22, 24, 34-35, 37 of copending Application No. 10/235,359 (Claims filed 11/22/2005). Although the conflicting claims are not identical, they are not patentably distinct from each other for the reasons below:

With respect to claim 23 of the present invention, claims 1-10,18-22,24,34-35, and 37 teach a screen; a display device adjacent an interior surface of the screen; and an antenna disposed on the screen but is silent as to the antenna being disposed on the interior surface of the screen and the antenna comprising a pattern portion. However It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the antenna of application 359 to dispose the antenna on the interior

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surface of the screen since doing so provides for a clear signal between the antenna and other electronic devices. With respect to the pattern portion, a pattern portion will increase the antennas ability to transmit/receive a signal.

With respect to claim 25 of the present invention, claims 1-10, 18-22, 24, 34-35, and 37 of application 359 teach the limitations of claim 22 above but are silent as to the antenna being conductively coupled to an internal antenna circuit of the portable computer system. However It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the antenna of application 359 attach to an internal antenna circuit so the antenna can provide the system with a radio signal so that data can be transferred to and from the system.

With respect to claim 29 of the present invention, claims 1-10, 18-22, 24, 34-35, and 37 of application 359 teach the limitations of claim 22 above but are silent as to the antenna extending a pre-determined distance on the interior surface of the screen. However It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the antenna of application 359 extend a distance on the interior surface of the screen to increase the antennas capability to send/receive signals.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the first paragraph of 35 U.S.C. 112:

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The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim s 1-10 now recites, "a bezel flange contacting and supporting a screen" which is new matter since the original disclosure fails to support a bezel flange contacting a screen.

Claims 11-15 now recites, "means for contacting a supporting a screen" which is no matter since the original disclosure fails to support a bezel flange contacting a screen.

For the purposes of examination, the claims will be considered as presently written.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1, 3, 5-8, 11-13, 15, as best can be understood by the Examiner, are rejected under 35 U.S.C. 102(b) as being anticipated by Shin et al. (US 2002/0151328).

With respect to claim 1, Shin et al. teaches a portable computer system, comprising: a bezel (55) having a bezel flange (57) contacting and supporting a screen (38, see paragraph 64); and an antenna (40) disposed at least partially between the bezel flange and a portion of the screen (See Paragraph 64, where when the flange (57) surrounds the screen member, it will effectively place the antenna between the itself and the screen member).

With respect to claim 3, Shin et al. further teaches that a display device (Behind screen 38) is disposed adjacent an interior surface of the screen (As illustrated in Fig 2).

With respect to claim 5, Shin et al. further teaches that the antenna comprises a pattern portion (43, as illustrated in Fig 3).

With respect to claim 6, Shin et al. further teaches that the antenna comprises an extension portion (From 48a, to 49a) extending from the pattern portion to a screen connector (As illustrated in Fig 3).

With respect to claim 7, Shin et al. further teaches that the antenna comprises an extension portion (As illustrated in Fig 5 by the dashed lines) extending to at least two side areas of the screen member (See also paragraph 60).

With respect to claim 8, Shin et al. teaches a screen connector (48a) adapted to conductively couple the antenna (40) to an internal antenna circuit of the portable computer system.

With respect to claim 11, Shin et al. further teaches a portable computer system, comprising: means (50, 55) for contacting and supporting a screen (38, See paragraphs 64 and 80); and antenna means (40) disposed at least partially between the supporting means and an interior surface of the screen (See paragraph 64, see also paragraph 80 and Fig 2).

With respect to claim 12, Shin et al. further teaches a means (48a) for conductively coupling the antenna means (40) to an internal antenna circuit (43) of the portable computer system.

With respect to claim 13, Shin et al. further teaches means (54) for conductively coupling the antenna means (40) to the supporting means (50,55, see paragraph 80).

With respect to claim 15, Shin et al. further teaches a display means (Behind screen 38) disposed adjacent the interior surface of the screen member (As illustrated in Fig 2).

Claims 35-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Detwiler (US 2002/0100805).

With respect to claim 35, Detwiler teaches a portable computer system, comprising: a screen (32) and an antenna (34) formed on the screen (See Figs 3-5).

With respect to claims 36-39, Detwiler further teaches that the antenna (34) comprises at least one conductive trace (50) deposited/applied to a (an interior) surface of the screen (See Fig 5).

With respect to claim 40, Detwiler further teaches that the screen comprises a transparent screen (See Paragraph 35).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4, 14, 16-19, 22-25, 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al. in view of Detwiler (US 2002/0100805).

With respect to claim 2, as best can be understood by the Examiner, Shin et al. teaches the limitation of claim 1 above, but is silent as to the antenna (40) comprising a conductive trace deposited on an interior surface of the screen (38). Detwiler teaches the conventionality of depositing a conductive antenna trace (Generally 34) on an interior surface of a screen (32, See Paragraph 26, see also Figs 4-5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Detwiler with that of Shin et al. to provide additional area by which the antenna can clearly communicate with external devices while decreasing housing complexity involved with housing the antenna (Detwiler Paragraph 6).

With respect to claim 4, as best can be understood by the Examiner, Shin et al. teaches the limitations of claim 1 above but is silent as to the antenna extending a predetermined distance along an interior surface of the screen. Detwiler teaches the

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conventionality of an antenna (34) extending a predetermined distance along an interior surface of a screen (32, see Figs 4-5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Detwiler with that of Shin et al. to provide additional area by which the antenna can clearly communicate with external devices while decreasing housing complexity involved with housing the antenna (Detwiler Paragraph 6).

With respect to claim 14, as best can be understood by the Examiner, Shin et al. teaches the limitations of claim 11 above but is silent as to the antenna means comprising conductive means deposited on the interior surface of the screen. Detwiler teaches the conventionality of an antenna conductive means (34) deposited on the interior surface of a screen (32, see paragraph 26, see also Figs 4-5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Detwiler with that of Shin et al. to provide additional area by which the antenna can clearly communicate with external devices while decreasing housing complexity involved with housing the antenna (Detwiler Paragraph 6).

With respect to claim 16, Shin et al. further teaches a method of manufacturing a portable computer system, comprising: providing a bezel (55) having a bezel flange (57) adapted to support a screen (38) at least a portion of an antenna (cable 43) disposed between the bezel flange and the screen. Shin et al. is silent as to the screen having an antenna disposed on an interior surface thereof. Detwiler teaches the conventionality of having a screen (32) with an antenna (34) disposed on an interior surface thereof (See Fig 3). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teachings of Detwiler with that of Shin et al. to provide additional area by which the antenna can clearly communicate with external devices while decreasing housing complexity involved with housing the antenna (Detwiler Paragraph 6).

With respect to claim 17, Shin et al. further teaches conductively coupling the antenna to an internal antenna circuit of the portable computer system (Paragraph 76).

With respect to claim 18, Detwiler further teaches providing a screen (32) having a pattern antenna portion disposed on the interior surface of thereof (See Fig 3, see also POA Fig 1 above).

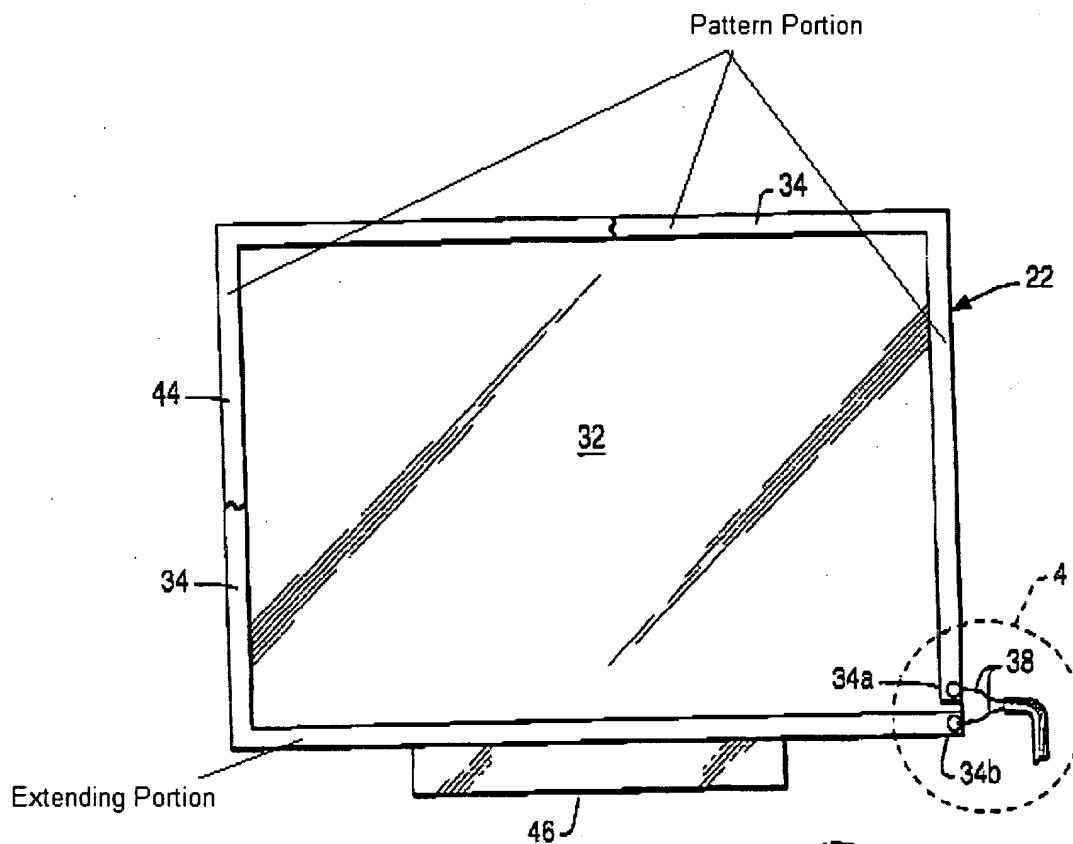
With respect to claim 19, Detwiler further teaches a screen having an extension portion extending from the pattern antenna portion to a screen connector (See POA Fig 1 above).

With respect to claim 22, Shin et al. further teaches a portable computer system, comprising: a screen (Best described as 38), a display device disposed adjacent an interior surface of the screen (inherent within a display panel as described in paragraph 65), and an antenna (40). Shin et al. is silent as to the antenna being disposed on the interior surface of the screen. Detwiler teaches the conventionality of disposing an antenna (34) on the interior surface of a screen (32, see paragraph 26, see also Figs 4-5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Detwiler with that of Shin et al. to provide additional area by which the antenna can clearly communicate with external devices

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while decreasing housing complexity involved with housing the antenna (Detwiler Paragraph 6).

With respect to claim 23, Detwiler further teaches that the antenna (34) comprises a pattern portion (See Present office action Fig 1 below).

**Fig 1**

With respect to claim 24, Detwiler further teaches that the antenna comprises an extending portion (See POA Fig 1 above) extending from the pattern portion to a screen member connector (46).

With respect to claim 25, Shin et al. further teaches that the antenna (40) is conductively coupled to an internal antenna circuit of the portable computer system (Paragraph 76).

With respect to claim 29, Detwiler further teaches that the antenna (34) extends a predetermined distance on the interior surface of the screen (See Fig 3).

Allowable Subject Matter

12. Claims 20-21 26-28, 30-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With respect to claim 20, the allowability resides in the overall structure of the device as recited in dependent claim 20 and at least in part because claim 20 recites, "conductively coupling the antenna to the bezel".

The aforementioned limitations in combination with all remaining limitations of claims 16 and 20 are believed to render said claim 20 patentable over the art of record.

With respect to claim 21, the allowability resides in the overall structure of the device as recited in dependent claim 21 and at least in part because claim 21 recites, "a bezel having a conductive via".

The aforementioned limitations in combination with all remaining limitations of claims 16 and 21 are believed to render said claim 21 patentable over the art of record.

With respect to claim 26, the allowability resides in the overall structure of the device as recited in dependent claim 26 and at least in part because claim 26 recites, "a

bezel adapted to conductively couple the antenna to an internal circuit of the portable computer system”.

The aforementioned limitations in combination with all remaining limitations of claims 22 and 26 are believed to render said claim 26 patentable over the art of record.

With respect to claim 27, the allowability resides in the overall structure of the device as recited in dependent claim 27 and at least in part because claim 27 recites, “a bezel having a flange disposed between the screen and the display device”.

The aforementioned limitations in combination with all remaining limitations of claims 22 and 27 are believed to render said claim 27 patentable over the art of record.

With respect to claim 28, the allowability resides in the overall structure of the device as recited in dependent claim 28 and at least in part because claim 28 recites, “a bezel having a conductive via conductively coupling the antenna to an internal antenna circuit of the portable computer system”.

The aforementioned limitations in combination with all remaining limitations of claims 22 and 28 are believed to render said claim 28 patentable over the art of record.

With respect to claim 30, the allowability resides in the overall structure of the device as recited in dependent claim 30 and at least in part because claim 30 recites, “a bezel flange disposed between the screen and the display device, the antenna disposed between the bezel flange and the interior surface of the screen”.

The aforementioned limitations in combination with all remaining limitations of claims 22 and 30 are believed to render said claim 30 patentable over the art of record.

With respect to claims 31-34, the allowability resides in the overall structure of the device as recited in independent claim 31 and at least in part because claim 31 recites, "a screen.. having an antenna disposed thereon.. the bezel flange having a conductive path".

The aforementioned limitations in combination with all remaining limitations of claim 31 are believed to render said claim 31 and all dependents therefrom (32-34) patentable over the art of record.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2004/0047139 to Homer et al. further teaches a computing device having an antenna.


14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached on Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ZMP


LISA LEA-EDMONDS
PRIMARY EXAMINER